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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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IN RE:

CHAPTER 13

GLENN D. FORDE,

CASE No. 19-23247 (SHL)

DEBTOR

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**AFFIRMATION IN SUPPORT OF DEBTOR'S NOTICE OF PRESENTMENT
OF ORDER APPROVING GLORIANNE MATTESI OF DOUGLAS ELLIMAN
REAL ESTATE AS DEBTOR'S NYS LICENSED ASSOCIATE REAL ESTATE
BROKER NUNC PRO TUNC AS OF MAY 31, 2019**

Todd S. Cushner, an attorney duly licensed to practice before this Court, affirms the following under the penalties of perjury.

1. I am the attorney for the Debtor herein and as such am fully familiar with the facts and circumstances of this motion.

2. On July 2, 2019, the debtor, Glenn D. Forde (the "Debtor") filed a voluntary petition for relief under chapter 13 of the United States Bankruptcy Code (the "Bankruptcy Code") and an order of relief was duly entered.

3. Among the assets in this case is the Debtor's real property located at 230 Hamilton Avenue, New Rochelle, New York 10801 (the "Property"). The Debtor intends to sell this property.

4. In order to market the Property effectively and efficiently, the Debtor solicited the assistance of Glorianne Mattesi ("Mattesi") NYS Licensed Associate Real Estate Broker of

Douglas Elliman Real Estate located at 26 Popham Road, Scarsdale, New York 10583. (Annexed hereto as **Exhibit “A”** is a copy of Mattesi’s Affidavit in Support).

5. Glorianne Mattesi is a Licensed Real Estate Salesperson, who has examined said real property.

6. Based on the foregoing, the Debtor desires to retain Mattesi and to compensate said broker on a quantum meruit basis. In consideration for said services, broker should receive as commission, upon consummation of any such sale, a real estate broker’s commission in an amount equal to 4.50% of the purchase price to be disbursed from sales proceeds 2.25% to be paid to Mattesi as the real estate broker and 2.25% to any buyer’s agent and is informed and believes that the proposed commission of the broker is competitive and reasonable in light of the commissions charged by other brokers and for what the broker is reasonably entitled to receive under the circumstances. (Annexed hereto as **Exhibit “B”** is a copy of the listing agreement between the Debtor and Glorianne Mattesi).

7. Applicant is informed and believes that the proposed commission of the Proposed NYS Licensed Associate Real Estate Broker is competitive and reasonable in light of the commissions charged by other NYS Licensed Associate Real Estate Broker and for what the broker is reasonably entitled to receive under the circumstances.

8. The real estate broker whom Debtor proposes to retain has been informed and understands that no sale may be consummated until after notice and a hearing and that the Court may allow an amount different from the amount sought by the Proposed NYS Licensed Associate Real Estate Broker.

9. Your applicant is informed and believes and, therefore, alleges the employment of said Proposed NYS Licensed Associate Real Estate Broker on the terms and conditions provided for herein was and is in the best interest to warrant a sale of the property.

10. Your applicant is satisfied from the Affidavit of the Proposed NYS Licensed Associate Real Estate Broker that said real estate broker is a disinterested person within the meaning of 11 U.S.C. § 101.

WHEREFORE, Debtor prays that he be authorized to employ Glorianne Mattesi (“Mattesi”) a NYS Licensed Associate Real Estate Broker of Douglas Elliman Real Estate, *nunc pro tunc* as of May 31, 2019 as the Debtor’s real estate broker on the terms and conditions set forth herein.

Dated: White Plains, New York
September 18, 2019

Respectfully submitted,

By: /s/ Todd S. Cushner
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